

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

DARRYL SUSEWITT,

Defendant.

No. 03cr10012-T

UNITED STATES' MOTION TO CONTINUE SETTING DATE

COMES NOW, the United States of America, by and through Terrell L. Harris, United States Attorney, and James W. Powell, Assistant United States Attorney for the Western District of Tennessee, and moves this Honorable Court as follows:

The defendant, DARRYL SUSEWITT, is scheduled for a re-sentencing date on Wednesday, July 20, 2005. Counsel for the government has been advised that oral argument before the Sixth Circuit Court of Appeals will be held that same day. Due to this scheduling conflict the government is now requesting a resetting of this case.

Movant has discussed the filing of this motion with Ms. Diane Smothers, counsel for the defendant, who has expressed no objection thereto. Counsel for the government will be unavailable from July 19th through July 22nd, as well as July 27th through July 28th. Ms. Smothers has advised that she will be unavailable on July 15th.

THEREFORE, for the grounds set forth above, the government respectfully requests that the defendants' scheduled Re-sentencing Hearing date be reset to a later date.

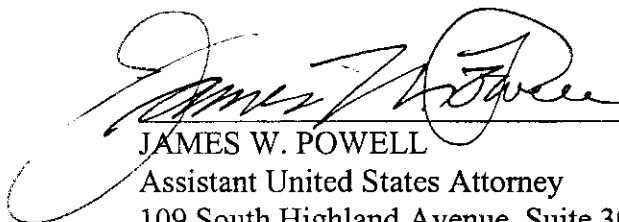
MOTION GRANTED

DATE: 15 June 2005

James D. Todd
James D. Todd
U.S. District Judge

Respectfully submitted,

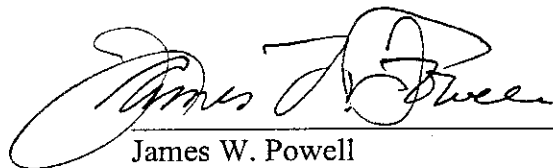
TERRELL L. HARRIS
United States Attorney



JAMES W. POWELL
Assistant United States Attorney
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Jackson, Tennessee 38301
(731) 422-6220
Tennessee Bar No. 9614

CERTIFICATE OF SERVICE

I, James W. Powell, Assistant United States Attorney for the Western District of Tennessee, hereby certify that a copy of the foregoing has been delivered to Ms. Diane Smothers, Counsel for the defendant, 109 South Highland Avenue, Jackson, Tennessee, this 15th day of June 2005.



James W. Powell
Assistant United States Attorney



Notice of Distribution

This notice confirms a copy of the document docketed as number 49 in case 1:03-CR-10012 was distributed by fax, mail, or direct printing on June 15, 2005 to the parties listed.

M. Dianne Smothers
FEDERAL PUBLIC DEFENDER
109 S. Highland Ave.
Ste. B-8
Jackson, TN 38301

James W. Powell
U.S. ATTORNEY'S OFFICE
109 S. Highland Ave.
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Jackson, TN 38301

Honorable James Todd
US DISTRICT COURT